

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 7
AKORN HOLDING COMPANY LLC, <i>et al.</i> ,	)	
	)	Case No. 23-10253 (KBO)
Debtors. <sup>1</sup>	)	
	)	(Jointly Administered)

**CERTIFICATION OF COUNSEL REGARDING ORDER APPROVING STIPULATION  
GRANTING LIMITED RELIEF FROM THE AUTOMATIC STAY**

The undersigned counsel for Thea Pharma Inc. (“TPI”), a creditor and party in interest in the above-captioned chapter 7 cases, hereby certifies as follows with respect to the proposed order, attached hereto as **Exhibit A** (the “Proposed Order”), approving a stipulation granting TPI limited relief from the automatic stay (the “Stipulation”)<sup>2</sup>:

1. Prior to the commencement of these chapter 7 cases, TPI and Akorn Operating Company LLC entered into an Asset Purchase Agreement (the “APA”) and Escrow Agreement, pursuant to which TPI delivered \$6,750,000 to the Escrow Agent as security for any amounts owed to TPI in respect of Akorn Operating LLC’s indemnification obligations.

2. Pursuant to the terms of the APA and the Escrow Agreement, TPI intends to transmit a Claim Notice to the Escrow Agent and Akorn Operating LLC on or before June 8, 2023, which is the deadline to submit the Claim Notice under the APA.

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<sup>1</sup> The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23-10255. The Debtors’ headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Stipulation.

3. TPI and the Trustee have agreed to modify the automatic stay for the limited purpose of TPI delivering the Claim Notice to the Escrow Agent and Akorn Operating Company LLC.

4. The Trustee has reviewed the Proposed Order and does not object to its entry.

WHEREFORE, TPI respectfully requests that the Court enter the Proposed Order attached hereto as **Exhibit A** approving the Stipulation at its earliest convenience.

*[Signature page follows]*

Dated: June 2, 2023  
Wilmington, Delaware

*/s/ Sophie Rogers Churchill*

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